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BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

August 3, 2004

In the Matter of)	DOCKET NO. 2004-219-E
)	
Petition of Progress Energy Carolinas, Inc))	RESPONDENT BEATRICE
To Terminate Service)	WEAVER'S MOTION FOR
)	CONTINUANCE OF DATE
)	OF HEARING AND EXTENSION
)	OF TIME FOR FILING OF
)	PLEADINGS; AFFIDAVIT OF
)	BEATRICE WEAVER;
)	CERTIFICATE OF SERVICE

**RESPONDENT BEATRICE WEAVER'S MOTION FOR CONTINUANCE OF
DATE OF HEARING AND FOR EXTENSION OF TIME
FOR FILING PLEADINGS**

Comes now Respondent Pro Se Beatrice Weaver and timely files this **Motion for Continuance of Date of Hearing and Extension of Time for Filing of Pleadings**. This motion is filed for good cause pursuant to rules and regulations of the Public Service Commission of South Carolina ("Commission") **R. 103-842** for extension of time for filing pleadings; **R.103-862** for continuance of Hearing Date; **R.103-851** for written interrogatories, and **R.103- 854** for Other Discovery; **Rule 6 (b),(d), and (e)** and **Rule 7** of the South Carolina Rules of Civil Procedure (SCRCP).

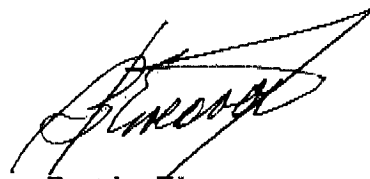
The Commission is respectfully requested to take judicial notice of Respondent's Answer and Counterclaim timely filed on or about September 8, 2004 wherein Respondent refers to certain difficulties faced in processing this action, and the time extension requirements necessary to complete process for the defense and counterclaim attendant to Petitioner's frivolous and nuisance allegations.

This motion is based on the grounds discussed in Respondent's Affidavit and Exhibits attached hereto and made part hereof. Respondent reserves the right to supplement said Affidavit and Exhibits prior to the hearing or disposition of this motion.

Relief: For good cause, pursuant to the Commission's rules and regulations, and SCRCR Rules cited hereinabove, Respondent moves the Commission for an order continuing the date of the Hearing for a period of three months, and extension of time for completion of discovery and to answer Petitioner's Interrogatory to be extended sixty days.

Dated: Little Rock, Dillon County, S.C., November 24, 2004

Respectfully submitted.



Beatrice Weaver
Respondent Pro Se

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

August 3, 2004

In the Matter of) **AFFIDAVIT OF BEATRICE**
) **WEAVER; EXHIBITS A-B**
Petition of Progress Energy Carolinas, Inc)
To Terminate Service)
)
)
)

AFFIDAVIT OF BEATRICE WEAVER

County of Dillon)
)
State of South Carolina) SS.
)

BEATRICE WEAVER, being first duly sworn upon her oath, hereinafter
 "Affiant", deposes and says as follows:

1. Affiant is a Respondent Pro Se in the above titled Petition.
2. As discussed in previous affidavits submitted in this action by Respondent, and as shown by the attached **Exhibits A and B** by reference made part hereof, Respondent has been undoing a series of surgeries and hospitalizations that have prevented her from processing this case in accordance with the time constraints and conditions imposed by the Commission and the excessive and abusive process practices of Petitioner. The Commission has been given ample advance notice of these adverse medical conditions that handicap Respondent in processing this case.

3. Due to the stated continuing ill health, Respondent has been unable to this date to respond to Petitioner's Interrogatory for which Petitioner has requested the Commission to compel and answer. Accordingly Respondent hereby requests an extension of time from the Commission to file an answer to said Interrogatory in due course.

4. For the same reasons, Respondent has been unable to date to issue written interrogatories to interested parties in this action and conduct other discovery. Respondent will issue interrogatories, including requests for production of documents and admissions to certain parties and subsequent follow-up discovery on the basis of the initial discovery as may be needed. the commission has been given previous advance notice that it will take considerable time for this discovery proceeding to be accomplished and request to relax the time constraints in the interest of deriving he facts and fair administration of justice.

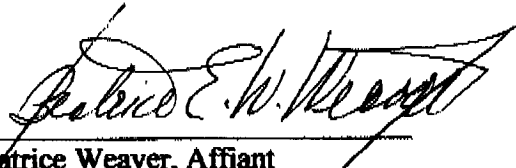
4. As stated in previous pleadings and affidavits, because of poor health, poor eyesight exacerbated by Petitioner's illegal actions against her, and physical impairment, seriously aggravated by the experience in dealing with Petitioner in this case, Affiant requires assistance for transportation purposes. There is no Law Library at the Dillon County Courthouse and Respondent lacks ready access to such reference and research resource, requiring additional time to prepare pleadings.

5. Hence the need for Commission approval of double the time to file pleadings. and extend the hearing date by at least three months. And Respondent reserves the right to apply for further extensions if circumstances demand it.

6. I have resided at 1253 Harllees Bridge Road, Dillon, S.C. 29536 since January 1995. My mailing address is P.O. Box 539, Little Rock SC 29567. I am a retired Senior Citizen in my late seventies and in extremely poor health. I make this affidavit from personal knowledge and belief of the facts of the case, and not for any improper purpose or to cause unnecessary delay in proceedings, or needless increase in the costs of this

case. I am competent to make this deposition. I allege and aver that the facts are as follows and **Exhibits A and B** attached hereto are true and correct copies of the original documents and by reference are made part hereof.

Further, Affiant sayeth naught.


Beatrice Weaver, Affiant

Subscribed and sworn before me
this _____ day of November, 2004.

Notary Public, State of South Carolina

My Commission expires: _____

Dillon Internal Medicine Associates, P.A.

705 N. 8th Avenue, Suite 1A
Dillon, South Carolina 29536

Telephone (843) 774-2478
1-800-476-3011

James P. Wallace, M.D.
James J. Kelly, M.D.
Clifford E. Medina, M.D.

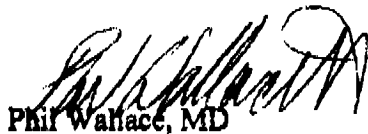
Brandy Bryant - Herndon, FNP
Joanie Price, Office Manager

November 16, 2004

To Whom It May Concern:
RE: Beatrice Weaver

Beatrice Weaver is my patient at Dillon Internal Medicine. She is scheduled for pre-op on Monday, November 22 at 3 pm at Saint Eugene Medical Center. She is scheduled to have surgery on Tuesday, November 23 at 10 am at Saint Eugene Medical Center.

Sincerely,



Phil Wallace, MD

EXHIBIT "A"



Duke University Eye Center
DUKE UNIVERSITY HEALTH SYSTEM

November 23, 2004

Office of the Executive Director
Public Service Commission of
South Carolina
Post Office Box 11649
Columbia, SC 29211

Re: Weaver, Beatrice
Certificate of Medical Necessity
File No: 04-E-2010
Hearing Scheduled for 12/8/04

To Whom It May Concern:

Beatrice Weaver is my patient. She had eye surgery on 10/25/04. I was the surgeon who performed the surgery in the Eye Clinic operating room under anesthesia in Durham, NC.

Post operation procedures occurred on 11/4/04 and 11/15/04 at the Eye Clinic. A follow-up appointment is scheduled for 12/14/04 at the Eye Clinic. Convalescent shall be at least 30 days, during which there should be no stress on Mrs. Weaver's eyes. Any intensive research, writing, etc. should be avoided.

I support Mrs. Weaver's petition to the Commission for postponement of the 12/8/04 hearing before the Commission on medical grounds, for at least 30 days after the 12/14/04 visit, or until her health permits.

Sincerely

A handwritten signature in black ink, appearing to read 'J. G. Michon'.

J. G. Michon, M.D.
Oculoplastic Service

JJM/ts

EXHIBIT "B"

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

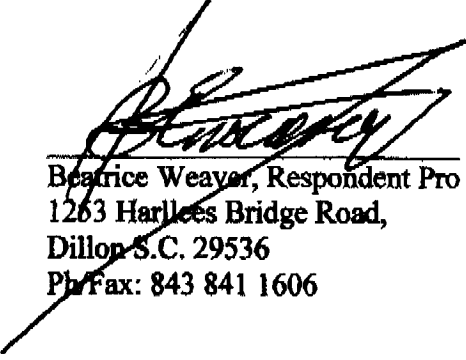
August 3, 2004

In the Matter of)	CERTIFICATE OF SERVICE
)	
Petition of Progress Energy Carolinas, Inc))	
To Terminate Service)	
)	
)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original copy of Respondent Pro Se Beatrice Weaver's Motion for Continuance of Date For Hearing and Extension of time for Filing of Pleadings and Affidavit Of Beatrice Weaver Respondent Pro Se, and Exhibits A and B thereto, will be or has been served upon the above-mentioned Petitioner and the S.C. Public Service Commission, at their respective addresses by means of U.S. Postal Service mail, on or before November, 26, 2004.

DATED: Little Rock, Dillon County, South Carolina, November 24, 2004.


Beatrice Weaver, Respondent Pro Se
1263 Harlees Bridge Road,
Dillon S.C. 29536
Ph/Fax: 843 841 1606

**TO: Office of the Executive Director
P.O. Drawer 11649
S.C. Public Service Commission
Ph: 1 803 896 5713/5230; Fax 1803 8965231**

**FROM: NAME: BEATRICE WEAVER
ADDRESS: 1253 HARLLEES BRIDGE ROAD, DILLON S.C. 29536
PHONE #: 1 843 841 1606
TELEFAX #: 1 843 841 1606**

**SUBJECT: Progress Energy
File No: 2004-219-E
PEC Account No. 752-151-1336
Meter No. B91771
2ND Petition.**

DATE: Nov. 24, 2004

No of Pages: 9 INCLUSIVE

Message:

1. Attached please find one telefaxed copy of my Motion for Continuance of Hearing Date and for Extension of Time for Filing Pleadings. Under separate cover originals are duly mailed.

2. Said motion is timely filed.

Thank you.

